

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

RAFAEL MARTINEZ FUENTES  
LUZ ESTRELLA CORTES TORRES

CASE NO. 15-06252 ESL

CHAPTER 13

DEBTOR

**APPLICATION FOR AUTHORIZATION TO RETAIN COUNSEL**

TO THE HONORABLE COURT:

**COME NOW, RAFAEL MARTINEZ FUENTES and LUZ ESTRELLA CORTES TORRES**, debtors in the above captioned case, through the undersigned attorney, and respectfully state and pray as follows:

1. Debtors filed the instant case on August 17, 2015.
2. Debtors desire and require the employment of Jose Rafael Reyes Hernandez, Esq., as case lead Counsel, in order to commence an action in damages in State Court by debtors against HIMA San Pablo and others, in order to litigate possible claims against that defendant(s) and /or any insurance agencies.
3. Debtors believe that because Jose Rafael Reyes Hernández, Esq., has already been evaluating and examining the medical records pertinent to this action, it would be in the best interests of all parties that he represent debtors in the above described matter to be filed at the State Court. Debtors feel that Jose Rafael Reyes Hernández, Esq. is qualified to render the foregoing services.
4. The professional services that Jose Rafael Reyes Hernandez, Esq., would perform are summarized as follows:

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- a) To prepare motions, pleadings, and other legal documents necessary in the litigation of any claims in favor of debtors.
- b) To represent debtors in any negotiations with defendant(s) or any insurance agencies.
- c) To render legal counseling, legal opinions, prepare legal documents when deemed necessary and/or advisable, as these may relate to any claims initiated against defendant(s) and/or any insurance agencies or in favor of debtor.

5. Based upon the Declaration attached hereto and marked as Exhibit #1, debtors believe that Jose Rafael Reyes Hernández, Esq. does not hold or represents any interests adverse to the debtors or the debtors' estate and is a disinterested person within the meaning of 11 U.S.C. §101(13); and to the best of debtors' knowledge, he is not related or otherwise connected with the debtors, debtors' counsel or the United States Trustee, or any person employed by the Office of the United States Trustee, or any other party in interest.

6. Debtors have been informed that the normal billing rate of said attorney in this case is 33% of the proceeds ("contingency basis") as imposed upon defendants by the Puerto Rico Court of First Instance, or agreed upon with defendants in the event that the above mentioned litigation is settled, plus any reimbursement of outstanding cost and expenses.

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7. Debtors discussed with Jose Rafael Reyes Hernández, Esq. his availability to be employed as special counsel in this case and to perform the services required.

7. Jose Rafael Reyes Hernández, Esq., represented debtors prior to the bankruptcy petition, and no claim is being made against the estate for prior services and there are no outstanding bills or invoices to be paid to him.

8. Jose Rafael Reyes Hernández, Esq., also discloses that he has no agreement to share compensation or reimbursement to be received in this case with any person or entity, that I will amend this statement immediately upon the learning that: (a) any of the representations made herein are incorrect, or (b) there is any change of circumstance relating thereto, and that I have reviewed the provisions of LBR 2016-1.

**WHEREFORE** it is respectfully requested that debtors be authorized to employ Jose Rafael Reyes Hernández, Esq., as case lead Counsel, to render the services as described in the foregoing application, with compensation to be paid on a contingency basis, at the resolution of the civil case.

### **NOTICE**

**You are notified that within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.**

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I HEREBY CERTIFY that this motion was filed with the Court using the CM/ECF filing system which will send notice of same to all CM/ECF participants, including the Chapter 13 Trustee and the US Trustee's Office; I also certify that a copy of this motion has been sent to creditors and all parties in interest (non CM/ECF participants) as per matrix attached.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico this 07<sup>th</sup> day of June, 2017.

*/s/Jose Rafael Reyes Hernández*  
JOSE R. REYES HERNANDEZ, ESQ.  
RUA No. 16176  
PO BOX 362100  
SAN JUAN PR 00936-2100  
EMAIL: jreyes9886@gmail.com

*/s/Roberto Figueroa Carrasquillo*  
ROBERTO FIGUEROA-CARRASQUILLO  
USDC-PR #203614  
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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

CASE NO. 15-06252 ESL

RAFAEL MARTINEZ FUENTES  
LUZ ESTRELLA CORTES TORRES

CHAPTER 13

DEBTOR

**DECLARATION**

I, Jose Rafael Reyes Hernandez, Esq., declare:

1. That I am an attorney duly admitted to practice before all the Courts of the Commonwealth of Puerto Rico.

2. That I am the attorney for debtors in a claim for damages that will be filed at the First Instance Court of Puerto Rico Caguas Part and I am the attorney debtors are seeking to employ by the application to which this Declaration is attached as Exhibit #1.

3. That I have experience in general civil law and civil litigation and I am qualified to represent debtors as counsel, and I am willing to accept employment on the basis set forth in the annexed application.

4. That my office is located at Urb Puerto Nuevo 1154 10<sup>th</sup> Street NE San Juan Puerto Rico 00918; PO Box 362100 San Juan PR 00936-2100.

5. That to the best of my knowledge I hold no interest adverse to the above entitled estate and I am a disinterested person as defined in 11 U.S.C. §101(13), nor am I, to the best of my knowledge, related or otherwise connected with debtors, the

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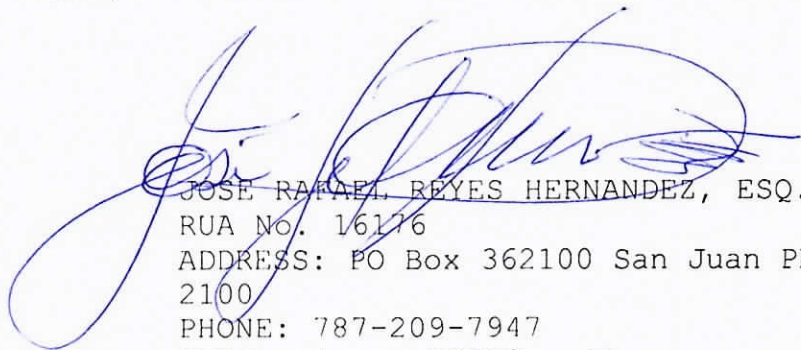
United States Trustee, debtors' counsel or any person employed by the Office of the United States Trustee other party in interest.

6. That there is no agreement to share any compensation or reimbursement to be received by any person or entity, that I will amend this statement immediately upon the learning that: (a) any of the representations made herein are incorrect, or (b) there is any change of circumstance relating thereto, and that I have reviewed the provisions of LBR 2016-1.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico this 5<sup>th</sup> day of June, 2017.



JOSE RAFAEL REYES HERNANDEZ, ESQ.

RUA No. 16176

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EMAIL: [jreyes9886@gmail.com](mailto:jreyes9886@gmail.com)

José Rafael Reyes Hernández, Esq.

•PO BOX 362100, San Juan PR 00936-2100•

•jreyes9886@gmail.com• 787-209-7947•

## LEGAL EXPERIENCE

Founder and Managing Partner of José R. Reyes Hernandez Law Offices since 2007. Mr. Reyes has developed a diverse corporate and litigation practice within the Commonwealth of Puerto Rico in state, appellate and administrative forums.

***Solo Practitioner, José R. Reyes Hernandez Law Office, San Juan, P.R.***

*January 2007 to Present*

- Civil Litigation
  - Estate Law
  - Contract Law
  - Horizontal Property Law
  - Family Law
  - Property Law
- Administrative Law
  - D.A.Co.
  - Comisión Industrial
  - A.R.Pc.
  - CASARH
  - Department of the Treasury
  - Police of Puerto Rico
- Criminal Litigation
  - Crimes against the Person
  - Crimes against the State
  - Crimes against Public Health
- Appellate Practice
  - Supreme Court of Puerto Rico
  - Court of Appeals of Puerto Rico
- Private Associations
  - Representing counsel in an internal proceeding against a member of the American Board of Internal Medicine of Puerto Rico.

***Student Law Clerk, Appeals Commission of the Management System for Public Service Human Resources, San Juan, P.R.***

*January 2005- May 2005*

- As part of the Law Clinic made my practice as Law clerk for the Commission.

***Student Law Clerk, State Court of Appeals, Hon. José M. Aponte Jiménez, Hato Rey, P.R.***

*August 2005- December 2005*

#### NOTABLE CASES

Díaz Ramos v. E.L.A y Otros., 174 D.P.R.194 (2008)

- Normative Case for hidden treasure.
- Subject of Puerto Rico Bar Examination.

#### EDUCATION

**Interamerican University of Puerto Rico**, San Juan, P.R.  
*Bachelor of Arts*, Political Sciences, June 2003

**Pontifical Catholic University of Puerto Rico**, Ponce, P.R.  
*Juris Doctor*, cum laude, June 2006

- Law Review Member
- Professor's Assistant
- Phi Alpha Delta Law Fraternity

#### ADMISSIONS

- Puerto Rico Bar
- Notary in Puerto Rico

#### REFERENCES

Available upon request



Babel Matrix for local noticing  
0104-3  
Case 15-06252-ESL13  
District of Puerto Rico  
Old San Juan  
Mon Jun 5 08:30:05 AST 2017

BANCO POPULAR DE PUERTO RICO  
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SAN JUAN, PR 00928-1382

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PHILADELPHIA PA 19101-7346

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Miguel Santos  
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Rene Bernier  
4 Calle Ponce De Leon  
Caguas, PR 00725-4231

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SAN JUAN, PR 00902-3884

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500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901

RAFAEL MARTINEZ FUENTES  
71 CALLE RAFAEL CORDERO  
CAGUAS, PR 00725-4150

ROBERTO FIGUEROA CARRASQUILLO  
PO BOX 186  
CAGUAS, PR 00726-0186

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

INTERNAL REVENUE SERVICE  
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PHILADELPHIA, PA 19114-0326

(d)INTERNAL REVENUE SERVICE  
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Cincinnati, OH 45280-0110

(d)RELIABLE FINANCIAL SERVICES, INC.  
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End of Label Matrix  
Mailable recipients 33  
Bypassed recipients 0  
Total 33